

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KIQUON E. WEST :  
: CIVIL ACTION  
v. :  
: NO. 23-143  
:  
BANK OF AMERICA, N.A., ET AL. :

**ORDER**

AND NOW, this 15th day of June 2023, upon consideration of Defendant Bank of America, N.A.<sup>1</sup> (BANA)'s Motion to Dismiss (ECF No. 8), Cross River Bank (CRB)'s Motion to Dismiss (ECF No. 14), and Members 1<sup>st</sup> Federal Credit Union's<sup>2</sup> Motion to Dismiss (ECF No. 10), Plaintiff having failed to oppose each of the Motions, and the Court having considered Plaintiff's Complaint and all documents submitted in support of the motions, it is **ORDERED** as follows:

1. Each of the Motions is **GRANTED**.
2. Plaintiff's TILA claim—to the extent it is based on the right of rescission—and claims under 18 U.S.C. §§ 893-894 are **DISMISSED with prejudice**. The remainder of Plaintiff's Complaint is **DISMISSED without prejudice** as to Defendants BANA, CRB, and Member's 1<sup>st</sup>.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ R. Barclay Surrick  
**R. BARCLAY SURRICK, J.**

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<sup>1</sup> Bank of America, N.A. was incorrectly named in Plaintiff's Complaint as "Bank of America."

<sup>2</sup> Members 1<sup>st</sup> Federal Credit Union was incorrectly named in Plaintiff's Complaint as "Members 1<sup>st</sup> FCU."